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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,197	03/13/2001	Yeou-Yen Chen	M-9341 US	3284

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EXAMINER

HEALY, BRIAN

ART UNIT PAPER NUMBER

2874

DATE MAILED: 02/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/808,197

Applicant(s)

CHEN ET AL.

Examiner

Brian M. Healy

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

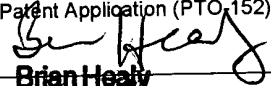
- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: 

Brian Healy

Primary Examiner of Paper No. 8

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemoff et. al. (either U.S.P. No. 6,198,864 or EP 1004907) in view of Nosu et. al., U.S.P. No.4,244,045.

Lemoff (either 864' or 907') teaches (Fig.3) an optical component (and method of making same) used for optical multiplexing/demultiplexing comprising: a lens block 80,82,43 including input lens 82 which is optically coupled to an optical fiber 42 with the lens 82 placed between the fiber and the lens block 80, a mirror-filter block including mirrored surfaces 30,32,36 and plural wavelength (the filters pass either a single wavelength or band of wavelengths) filters 20,22,24,26 (Note that lens block 80 includes a flat mirrored surface) so that the light enters the mirror-filter block from the lens block and is reflected by the flat mirror surface and a plurality of filters 20,22,24,26 with the plural filters coupled between the lens 82, lens block and mirror filter

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block.. Lemoff ( either 864' or 907' ) also teaches a plurality of integrally formed plurality of focussing lenses 50,52,54,56 optically coupled to the plurality of filters and focussed to a plurality of light detectors 60,62,64,66.

Lemoff (either reference) does not teach the use of collimating lenses at the optical input in an optical multiplexer/demultiplexer setting.

Nosu et. al. teaches (Figs.1-17) an optical multiplexer/demultiplexer device which uses collimating lenses 40 with an optical fiber 100 for collimating light into an optical multiplexer/demultiplexer setting.

Both Lemoff (either reference) and Nosu et. al. are from the same field of endeavor, i.e. optical multiplexing devices and thus the use of collimating lenses in an optical multiplexer device such as that of Nosu would have been recognized in the pertinent art of Lemoff (either reference).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the optical optical multiplexer/demultiplexer device and method of making same, as is taught by Lemoff et. al.(either reference) by including optical collimating lenses used in the optical multiplexer device of Nosu et. al. for the purpose of collimating light signals in an optical multiplexer/demultiplexer setting.

A copy of PTO-1449 will be included in this office action.

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The following references are also cited by the Examiner as being pertinent art: Doneen, U.S.P. No.4,842,357(Figs.1-5), Norwood et. al., U.S.P. No.6,256,428(Figs.1-7) and Cearns et. al., U.S.P. No.5,943,149(Figs.1-5).

Any questions concerning this office action should be directed to:

**Brian M. Healy**

**Primary Examiner**

**Art Unit: 2874**

**Phone: (703)308-2693**

  
**Brian Healy**  
**Primary Examiner**